

MINUTES
SCOTTSDALE CITY COUNCIL
CITY COUNCIL MEETING
Monday, June 16, 2003

**The Kiva
City Hall
Scottsdale, Arizona**

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CALL TO ORDER (IN CITY HALL KIVA FORUM)

Mayor Manross called to order the Regular Meeting of the Scottsdale City Council on Monday, June 16, 2003 in the Kiva, City Hall, at 5:10 P.M.

ROLL CALL

Present:

Mayor Mary Manross
Vice Mayor Ned O'Hearn
Council Members David Ortega, Tom Silverman, Robert Littlefield,
Wayne Ecton, and Cynthia Lukas

Also Present:

City Manager Jan Dolan
City Attorney David Pennartz
City Clerk Sonia Robertson

Pledge of Allegiance

Councilman Silverman led the audience in the Pledge of Allegiance.

Invocation

Reverend Steve Johnson Pastor of Mosaic Bible Church offered the invocation.

Announcement

Councilwoman Lukas welcomed her niece who was in the audience visiting from Kansas City.

Public Comment

Loren Langslet, 2521 N. Miller Rd., urged Council to place the issue of a district system on the ballot.

Barbara Cawthorne, 8720 E. Forest Drive, stated her desire to see something built on the Los Arcos site that would draw people regionally. She stressed that Council could negotiate for a better project by using the subsidy as a negotiating tool.

Marti Mueller, 1835 N. 77th St., expressed her belief that the area needs shopping at Los Arcos.

Sharon Oberritter, 8614 E. Orange Blossom, expressed concern over giving the Ellman Companies a subsidy to build their project. She also expressed disappointment in Council's reaction to the district task force's report.

Paul Reich, 7831 E. Buena Terraway, urged Council to think outside the box and place something on the Los Arcos property that would attract people regionally.

Consent Agenda

1. Land acquisition for the McDowell Sonoran Preserve

Request: Adopt Resolution No. 6317 authorizing purchase in the amount of \$195,300 (\$39,000/acre) for the 5.007-acre Parcel No. 216-59-004D, located at 30545 N. 128th Street, for the McDowell Sonoran Preserve.

Related Policies, References: The parcel is within the expanded Recommended Study Boundary approved in August 1998, by City Council and in November 1998, by voters. The acquisition of this land supports City Council Broad Goal B: Preserve the Character and Environment of Scottsdale, and two sub-goals under Goal B: Complete the acquisition of lands within the adopted Preserve boundaries; and Protect natural resources, open spaces and views.

Staff Contact(s): Robert J. Cafarella, AICP, Director, Preservation Division, 480-312-2577, rcafarella@scottsdaleaz.gov

Mayor Manross opened public testimony.

Lyle Wurtz, 6510 E. Palm Lane, spoke on items 1, 2 and 3. He expressed concern that the city's revenue is dropping while costs are rising with the city spending more and more. He questioned if the city's property taxes would have to be increased to fund the expenditures. He requested an update on the amount the city is amortizing annually, the city's current outstanding debt, etc.

Mayor Manross closed public testimony.

Bob Cafarella explained that the city did not issue any additional bonds since the last update; however, he would be happy to send Mr. Wurtz the most recent information. He noted that if Council approves tonight's acquisitions, there would only be 25 acres of privately owned property within the preserve boundary with the remainder of property being state land.

Mayor Manross reminded everyone that the city is working hard to keep property taxes low even though the city is trying to create the preserve.

2. Land acquisition for the McDowell Sonoran Preserve

Request: Adopt Resolution No. 6318 authorizing purchase in the amount of \$190,100 (\$38,000/acre) for the 5.001-acre Parcel No. 216-59-005J, located at 30120 N. 130th Street, for the McDowell Sonoran Preserve.

Related Policies, References: The parcel is within the expanded Recommended Study Boundary approved in August 1998, by City Council and in November 1998, by voters. The acquisition of this land supports City Council Broad Goal B: Preserve the Character and Environment of Scottsdale, and two sub-goals under Goal B: Complete the acquisition of lands within the adopted Preserve boundaries; and Protect natural resources, open spaces and views.

Staff Contact(s): Robert J. Cafarella, AICP, Director, Preservation Division, 480-312-2577, rcafarella@scottsdaleaz.gov

Please see comments from Mr. Wurtz regarding this item under item number 1.

3. Land acquisition for the McDowell Sonoran Preserve

Request: Adopt Resolution No. 6306 authorizing the acquisition of real property from multiple owners north of Dixileta Drive, south of Wildcat Drive, east of 128th Steet and west of 132nd Street, for the McDowell Sonoran Preserve. The property consists of two (2) parcels totaling +/- 15.6 acres. These are the remaining unresolved parcels in this geographic area where staff has not been able to reach agreements with the owners on acquisition. Approval of Resolution 6306 will permit the city to initiate condemnation proceedings as a last resort.

Related Policies, References: This property is within the expanded Recommended Study Boundary approved in August 1998, by City Council and in November 1998, by voters. The acquisition of this land supports City Council Broad Goal B: Preserve the Character and Environment of Scottsdale, and two sub-goals under Goal B: Complete the acquisition of lands within the adopted Preserve boundaries; and Protect natural resources, open spaces and views.

Staff Contact(s): Robert J. Cafarella, AICP, Director, Preservation Division, 480-312-2577, rcafarella@scottsdaleaz.gov

Please see comments from Mr. Wurtz regarding this item under item number 1.

4. Intergovernmental Agreement with Scottsdale Unified School District

Request: Adopt Resolution No. 6266, which approves IGA No. 2003-030-COS with the Scottsdale Unified School District. This funding provides drug and alcohol education and prevention services in all Scottsdale schools. This funding allows the School District to purchase services from the Scottsdale Prevention Institute (SPI) and includes services such as classroom presentations and teacher support on issues related to substance abuse. Other services provided include Peer Mediation, Violence Prevention strategies, and assessment of family issues that may require further intervention.

Related Policies, References: IGA No. 2003-039-COS

Staff Contact(s): Vicki French, Human Services Manager, (480) 312-7922, vfrench@scottsdaleaz.gov

5. Modify Field Allocation Fee Waiver and Partnership Funding Policy and implement recommendations of the Council-initiated Youth Sports Task Force

Request: Adopt Resolution No. 6322 authorizing changes to the Parks and Recreation Field Allocation Fee Waiver and Partnership Funding Policy; authorize the use of Partnership Funds for one year for maintenance of sports fields on Scottsdale School District property and initiate a \$3.00 per hour fee for sports field use by non-profit youth sports organizations of City and Scottsdale School District fields under City management.

Related Policies, References:

- Resolution No. 4646, November 1996, adopting a Parks and Recreation Division field allocation fee waiver and partnership funding policy.
- Field Allocation Fee Waiver and Partnership Funding Policy, November 1996.
- Youth Sports Task Force Report, January 2003.

Staff Contact(s): Judy Weiss, Parks, Recreation and Facilities Manager, 480-312-2416, jweiss@scottsdaleAZ.gov; Debra Baird, Parks, Recreation and Facilities Director, 480-312-2480, dbaird@scottsdaleAZ.gov; Bill Exham, Community Services General Manager, 480-312-2304, bexham@scottsdaleAZ.gov

6. **Adopt Resolution No. 6307, authorizing Agreement No. 2003-111-COS, an annual financial participation agreement between the City of Scottsdale and the Scottsdale Cultural Council for FY 2003/04, in the amount of \$2,780,596.**

Request: This action will authorize general fund budget support for the Scottsdale Cultural Council for FY 2003-04, allowing Cultural Council staff to continue to administer arts and cultural programs and events for the City, according to the terms of the Management Services Agreement.

Staff Contact(s): William Exham, General Manager, Community Service Department, 480-312-2377, BEXHAM@SCOTTSDALEAZ.GOV

7. **Adoption of the Community Services Department Fees and Charges Resolution**

Request: Adopt Resolution No. 6314 authorizing changes to the Community Services Department Guidelines for Programming Fees, and Facility Reservations and Use Costs; which establishes the program purpose and terms, provides guidelines for charge classifications and equipment use, sets fees, outlines activity formulas, and identifies related inventory.

Related Policies, References: Scottsdale Revised Code Chapter 20; Ordinance No. 2022

Staff Contact(s): Bill Exham, Community Services General Manager, 480-312-2304, bexham@scottsdaleAZ.gov

8. **Engineering Services Contract with Entellus, Inc., for design of the Pima Road alignment near Ironwood Village**

Request: Authorize Engineering Services Contract No. 2003-114-COS with Entellus, Inc. in the amount of \$272,995.72 for the Design Concept Report (DCR) for Pima Road Improvements (Pima Freeway to Hualapai Drive), East Union Hills Interceptor Channel Project and the Pima Road Drainage System Project. This contract will include the option to perform two additional DCRs for additional alignment alternatives for the Pima Road Project (if required) and to complete final design for the roadway and drainage projects.

Related Policies, References:

- a. Scottsdale Foothills General Plan, 1984
- b. Bond 2000 CIP
- c. City of Scottsdale General Plan, 2002
- d. Proposed Master Streets Plan, 2003

Staff Contact(s): Robert M. Johnson, CIP Coordination Manager, (480)-312-7054, rmjohnson@ci.scottsdale.az.us

9. **Engineering Services Contract for the Neighborhood Stormwater Improvements Program**

Request: Authorize Contract Modification to Engineering Services Contract No. 2000-165-COS, with Engineering and Environmental Consultants, Incorporated (EEC) in an amount not to exceed \$80,000.00, for the Neighborhood Stormwater Improvements Program.

Related Policies, References: City Procurement Code; 4/16/2001 Contract No. 2000-165-COS

Staff Contact(s): David Meinhart, Contract Admin., dmeinhart@ci.scottsdale.az.us, (480) 312-7010

10. Engineering Services Contract for the Via Linda Intelligent Transportation System (ITS) fiber optic system

Request: Consider approval of Engineering Services Contract No. 2003-031-COS with Olsson & Associates, in the amount of \$86,064.50, for the design of ITS fiber optic cable and conduit to be installed along Via Linda Road connecting from the Loop 101 Freeway ITS system at the Camelback Walk to the Police Headquarters building located at Via Linda and 90th Street.

Related Policies, References:

City Code, Chapter 17-21: Cooperate with other City officials in the development of ways and means to improve traffic conditions.

Staff Contact(s): Annette Grove, Sr. Project Manager, 480-312-2399, Agrove@ci.scottsdale.az.us; Bruce Dressel, ITS Project Manager, 480-312-2358, Bdressel@ci.scottsdale.az.us

11. Engineering Services Contract for Pavement Condition Analysis and Rating

Request: Authorize Engineering Services Contract No. 2003-103-COS with Infrastructure Management Services Inc. (IMS-Terracon) in the total amount of \$228,022.50 (a multi-year contract) for pavement condition analysis and rating of City public streets.

Related Policies, References: City Council Goal C: Provide for the safe, efficient and affordable movement of people and goods.

Staff Contact(s): Rod Ramos, Field Services Manager, rros@scottsdaleaz.gov, (480) 312-5641, Alex McLaren, Construction and Design Director, amclaren@ci.scottsdale.az.us (480) 312-7099

12. Construction Bid Award for La Mirada Desert Park

Request: Authorize Construction Bid Award No. 03PB099 (consisting of the Base Bid plus Bid Alternate 1) to Archon, Inc, the lowest responsive bidder, at their lump sum bid of \$411,000.00 for construction of the final phase of La Mirada Desert Park located just east of the La Mirada Commercial Center at the northeast corner of Pinnacle Peak and Pima Roads.

Related Policies, References:

* Council authorization of Architectural Services Contract No. 2000-147-COS for La Mirada Desert Park.

* Design Development Review, Case # 7-UP-1998#2

* Approval of Municipal Use Master Site Plan by the City Council on 08/21/01

* Reciprocal Parking and Access Easement Agreement No. 2002-134-COS.

Staff Contact(s): Marek Urbanek, CPM Project Manager, (480) 312-2563, murbanek@scottsdaleaz.gov; Gary Meyer, Parks/Trails Planning Manager, (480) 312-2357, gmeyer@scottsdaleaz.gov

13. Scottsdale's Convention and Tourism Destination Marketing Program

Request: As recommended unanimously by the Tourism Development Commission at their May 20, 2003 meeting, adopt Resolution No. 6323 authorizing Bed Tax funds in the amount of \$5,025,000 for destination marketing services and to approve Contract No. 2003-100-COS, the "Marketing Services Agreement Between the City of Scottsdale and the Scottsdale Convention and Visitors Bureau, Inc." for provision of these services.

Related Policies, References: City of Scottsdale Ordinances Nos. 2045 and 2049 (as amended) provide for funding of a destination marketing program on behalf of the City and the Scottsdale Tourism Industry from the City's bed tax revenues.

Staff Contact(s): Kathy Carlisle O'Connor, Tourism Development Manager, 480-312-7057, kcoconnor@ScottsdaleAZ.gov

Mayor Manross opened public testimony.

Lyle Wurtz, 6510 E. Palm Lane, explained that the city is spending tremendous amounts of money on the Convention Bureau, etc., which concerns him. He noted that he has seen no proof to substantiate the claims of \$70.00 being returned to the city for every \$1.00 invested. He questioned full funding for this item while funding for other programs have been cut.

Mayor Manross closed public testimony.

Mayor Manross stated her belief that it is critical that the city be able to promote itself as a destination since it is important to the city's economic future.

Councilman Ortega compared Scottsdale's contribution to the convention center to contributions by other valley cities to similar programs. He noted that the impact of the city's investment is rather large.

COUNCILMAN ORTEGA MOVED TO APPROVE CONSENT ITEMS 1-13. COUNCILMAN SILVERMAN SECONDED THE MOTION WHICH CARRIED 7/0.

REGULAR AGENDA

14. Engineering services contract for the design and preparation of construction plans for the Hidden Hills Access Area (Trailhead) Amenities

Request: Authorize Engineering Services Contract No. 2003-099-COS, with Dibble & Associates in the amount of \$77,900.00 to design and prepare construction plans for the Hidden Hills Access Area (Trailhead). Approval of the requested action will create the first access area to serve the Preserve.

Related Policies, References: This action directly supports City Council Broad Goal B: Preserve the Character and Environment of Scottsdale, and sub-goals under Goal B: Create access into the Preserve, and Create learning opportunities in the Preserve.

Staff Contact(s): Bill Peifer, Sr. Project Manager, 480-312-2399, bpeifer@scottsdaleaz.gov; Robert Cafarella, AICP, Director, 480-312-2577 rcafarella@scottsdaleaz.gov; Gary Meyer, Parks/Trail Planner, 480-312-2357, gmeyer@scottsdaleaz.gov

Bob Cafarella presented a brief slide presentation to introduce item 14 for discussion, which has been outlined below.

Sunrise Trailhead at Hidden Hills Via Linda & 144th Way

Background/History

- ➡ Hidden Hills Development (Developer agreed to provide land for a minor community access area – approx. 3 acres)
 - Zoning stipulation (1997)
- ➡ City of Scottsdale Planning
 - McDowell Sonoran Preserve Access Areas Report (completed by commission and approved by City Council in 1994 – updated in 1999 – It provides for 10 separate access areas)
 - Conceptual Preserve Trail Plan
 - Trails Master Plan
- ➡ Funding:
 - Community Facilities District
 - Bond 2000
 - Heritage Funds

Planned Amenities

- ➡ Car & trailer parking
- ➡ Ramada (at each of the two sites)
- ➡ Site work & landscaping
- ➡ Drinking fountain
- ➡ Signage

Engineering Services Contract

- ➡ Conceptual design process
- ➡ Development Review Board approval
- ➡ Construction Documents
- ➡ Plan Review/Building Permits

Design Services Selection

- ➡ October 2000- Design Services Solicitation
- ➡ 3 Proposals submitted and reviewed by city staff
- ➡ Average Scores (Five Reviewers)

– Submitter	Final Score	Rank
– Dibble & Associates	86.40	1
– INCA Engineers	82.20	2
– Carter & Burgess	75.60	3

Potential Timeline

- ➡ June 16, 2003 – Council award of design contract
- ➡ June 18, 2003 – Parks & Rec Commission review & approval of master plan
- ➡ Fall 2003 – Development Review Board approval
- ➡ Fall 2003 – Construction documents

Timeline (Continued)

- ☛ Winter '03/'04 - Building permits
- ☛ Spring 2004 – Construction bidding and City Council award of contract
- ☛ Spring/Summer 2004 – Begin construction
- ☛ Fall 2004 – Complete construction

Engineering Services Contract
2003-099-COS
With Dibble & Associates

Mayor Manross opened public testimony.

Sheri Novkov, 7105 E. Cortez, spoke in support of the trailheads and noted that they directly support Council's goal to provide access into the preserve. She expressed her belief, as an equestrian trail user, that it is critical that the city have connected trail systems and a place to park trailers. She stressed that the equestrian community in Arizona has a combined economic impact of \$1.3 billion per year.

Christine Kovach, 9525 N. 131st Street, explained that she is a member of the McDowell Sonoran Preserve Commission. She stated that at the joint meeting (of the Parks and Recreation Commission and the McDowell Sonoran Preserve Commission), there was agreement that the trailhead should be completed and have been carefully planned. She applauded city staff for working with the neighborhood to develop an appropriate design. She urged Council to approve the proposed contract.

Leigh Hersey, 8607 E. Thomas Road, stated that she is the Vice Chair of the Parks and Recreation Commission. She explained that the preserve will be a hallmark for the city; therefore, it is important to have adequate trailheads to meet the desires of citizens. She noted that the trailhead also ties in nicely with the citywide trails master plan. She encouraged Council to continue to keep access to the preserve a priority.

Jane Rau, 8148 E. Dale Lane, stated her belief that it is important to continue to move forward and get something positive done.

Melissa O'Connell, 12018 N. 144th Way, explained that she is a homeowner at Hidden Hills and is speaking for several other homeowners as well. She expressed concern over the trailhead's design; not to the trailhead itself. She noted that, although the conceptual drawing indicates that there is a lot of space between the homes and the parking lot, there is not. She noted that city staff promised to take several measures to buffer the parking area from the homes; however, she expressed concern that this would not be the case.

In response to a request from Councilman Silverman, Bob Cafarella confirmed that staff intends to keep the promises made to the neighbors. He acknowledged that the parking lot would be lowered somewhat so the natural berming of the area would help hide the parking area. He noted that extensive landscaping is also planned. He stated that the ramadas would encourage people to "congregate" there rather than in less desirable locations. He stressed that nothing has changed from what the neighbors were told.

Ms. Dolan stated that it would be appropriate for Council to stipulate that the contract include the items that were discussed such as extensive landscaping, lowering the parking area, etc.

In response to questions from Councilwoman Lukas, Mr. Cafarella explained that the ramada is an improvement that was always planned for the area. In completing additional analysis, staff felt it would be best if people could rest and cool down in a controlled location. He felt the ramada would be shielded from the homes by existing vegetation. He noted that staff remains committed to their belief that there should not be restrooms at this location. He clarified that there would be a ramada at both locations being discussed tonight.

Howard Myers, 7731 E. Horned Owl Trail, stated his belief that it is critical that these trailheads get underway immediately since they are the first accesses into the preserve. He felt it is important to indicate to citizens that the city is serious about getting everything in place when planned. He noted that the trailhead was planned long before anyone moved into the area. He hoped that the city doesn't make a mistake by downsizing the parking for the trailhead. He urged Council to move forward on the trailheads.

Susan Wheeler, 9717 E. Kalil, explained that she is grateful that this is finally coming to fruition. She stated her belief that if this contract isn't approved, there would be problems with the rest of the trailheads. She noted that the trailheads were strategically planned. She felt it is important to move forward.

Robert Freund, 11277 E. Paradise Lane, stated that he is a member of the board of the McDowell Sonoran Land Trust; however, is speaking as a resident of McDowell Mountain Ranch. He explained that one of the major trails leading into the preserve runs several hundred feet from his home. He stated that the usage for the trail is relatively light and that the people using the amenity are well behaved. He noted that the trail isn't a disruption and actually provides him with a level of entertainment.

Carla, P.O. Box 14365, spoke as the Executive Director of the Sonoran Land Trust. She acknowledged that the Parks and Recreation staff has done a wonderful job over the past several months working with citizens. She explained her belief that neighbors need to know that the design will be done in a sensitive manner. She urged Council not to change the plan since a reduction in parking would just create more problems.

Mayor Manross closed public testimony.

Councilman Littlefield questioned how staff ascertained that the location would not be an appropriate location for restrooms. Mr. Cafarella explained that there are different classifications for access areas with this area being classified as a minor access area. In looking at the geographic area and the surrounding private housing, staff felt that a restroom would not be an appropriate level of improvement given the constraints of the site.

Councilwoman Lukas agreed that preserve parking with adequate access is crucial for equestrian and neighborhood trails. She noted that the trailhead has been carefully planned. She stated her belief that Council should move forward with approval of the contract this evening.

Mayor Manross clarified that the Design Review Board would address the design issues if the contract is approved.

Councilman Ortega noted that approval of the first three items on tonight's agenda related to purchasing land in the preserve. He stated that the city spent nearly \$400,000 to purchase the land, which was part of the funds derived from the .2% sales tax reserved for the preserve. He stressed that bonds, general fund allocations, or contributions must fund the design and construction of trailheads.

Mr. Cafarella confirmed for Councilman Littlefield that final design of the trailheads would be reviewed by the Design Review Board and then be presented to Council for final approval.

Councilman Littlefield explained his belief that the city must indicate that it is committed to move forward with access to the preserve in a timely manner.

Councilman Ecton agreed that the city must move ahead with these trailheads. He also felt the city must be sensitive to the neighbor's concerns and address the issues. He noted that he would look closely at the design once it is presented to Council for approval.

COUNCILWOMAN LUKAS MOVED TO AUTHORIZE ENGINEERING SERVICES CONTRACT NO. 2003-099-COS, WITH DIBBLE & ASSOCIATES IN THE AMOUNT OF \$77,900.00 TO DESIGN AND PREPARE CONSTRUCTION PLANS FOR THE HIDDEN HILLS ACCESS AREA (TRAILHEAD) WITH THE STIPULATIONS TO LOWER THE PARKING LOT IN THE NORTHERN LOCATION AND PROVIDE EXTENSIVE LANDSCAPING TO TRY TO MINIMIZE THE IMPACT OF THE PARKING AREA ON THE SURROUNDING HOMES. COUNCILMAN SILVERMAN SECONDED THE MOTION WHICH CARRIED 7/0.

15. Adoption of the FY 2003/04 property tax levy and rate

Request: Adopt Ordinance #3512 setting the FY 2003/04 property tax levy and rate in accordance with Arizona Revised Statutes and the City Charter.

Staff Contact(s): Craig Clifford, General Manager, (480) 312-2364, cclifford@ScottsdaleAZ.gov
Art Rullo, Budget Director, (480) 312-2435, arullo@ScottsdaleAZ.gov

Mr. Clifford introduced the item for discussion by reminding everyone that on June 2, 2003, Council reviewed the proposed property tax levy for 2003/04 and took a roll call vote. He presented the following information.

Proposed 2003/04 - Property Tax Levy

- \$42.7 Million to support proposed 2003/04 budget
- Combined tax rate = \$1.12 per \$100 assessed value
- Primary Tax Levy - \$.48 primary tax rate
- \$16.6M for General Fund expenditures
- \$.6M for Self-Insurance Fund
- Primary tax values increased an average of 5.7%
- Secondary Tax Levy - \$.64 secondary tax rate
- \$25.5M for Debt Service on voter-approved General Obligation Bonds

He noted that tonight's action item is to solicit further public testimony and adopt Ordinance 3512 setting the 2003/04 property tax levy.

Councilman Ecton explained his belief that it is important for the public to understand that most of the city's income is generated from sales taxes, thereby; the city is able to keep the property tax rate low.

Councilman Ortega asked the Mayor to confirm that no public comment cards were received for this item, which she did.

COUNCILMAN ECTON MOVED TO ADOPT ORDINANCE #3512 SETTING THE FY 2003/04 PROPERTY TAX LEVY AND RATE IN ACCORDANCE WITH ARIZONA REVISED STATUTES AND THE CITY CHARTER. COUNCILMAN SILVERMAN SECONDED THE MOTION WHICH CARRIED 7/0.

16. Adoption of 2003/04 tax levy on streetlighting districts.

Request: Adopt Ordinance No. 3514 levying upon the assessable property within each streetlighting district in Scottsdale an amount sufficient enough to provide funds to operate the districts for fiscal year 2003/2004.

Staff Contact(s): Craig Clifford, Chief Financial Officer, (480) 312-2364, cclifford@scottsdaleaz.gov

Mr. Clifford explained that since 1971, the city has set up a number of streetlight improvement districts. He noted that the residents in those districts pay a nominal amount to support the operations of the streetlights in their district. Once adopted, the levy is then passed onto the county assessor who adds it to the property tax levy for the specific streetlight district.

Mayor Manross opened public testimony.

Lyle Wurtz, 6510 E. Palm Lane, questioned if the streetlighting districts are fair. He wondered if the entire city is covered by the districts.

Mayor Manross closed public testimony. She noted that there are 355 districts in the city.

Mr. Clifford explained that the districts cover the areas of the city where the residents have elected to have streetlights. He stated that the districts do not cover every square mile of the city since some residents have elected not to have streetlights. He further clarified that the capital costs of the streetlights aren't included in the cost to the streetlight districts. There are separate meters for each district so the assessment is according to the utility bill and the number of residents in the district. The utility company pays the cost of the light poles themselves.

COUNCILMAN ECTON MOVED ADOPT ORDINANCE NO. 3514 LEVYING UPON THE ASSESSABLE PROPERTY WITHIN EACH STREETLIGHTING DISTRICT IN SCOTTSDALE AN AMOUNT SUFFICIENT ENOUGH TO PROVIDE FUNDS TO OPERATE THE DISTRICTS FOR FISCAL YEAR 2003/2004. COUNCILMAN ORTEGA SECONDED THE MOTION WHICH CARRIED 7/0.

Public Comment

Roberta Patterson, 7120 E. Wilshire Drive, questioned why Code Enforcement refuses to do anything about a sign at 2534 N. Scottsdale Road, which doesn't confirm to city code and is a traffic hazard.

Darlene Petersen, 7327 E. Wilshire, urged the city to ensure that park benches are designed with backs on them since one was recently installed on the corner of Indian School and Hayden without one.

Mayor Manross assured Ms. Patterson that the city would investigate. Ms. Dolan explained that she is aware that there is a disagreement between Ms. Patterson and Code Enforcement. She stated her intention to request that Mr. Ekblaw review the matter and make a ruling.

City Manager's Report - None

Mayor and Council Items

Councilman Littlefield explained that Council received an email last evening stating that the city's Economic Vitality Department has finished negotiations with the Ellman Companies regarding the proposed Redevelopment Agreement at Los Arcos. The draft will either be released to the public Tuesday or Wednesday of this week. Since the issue has been placed on July 2, 2003 agenda for Council to vote on the agreement, he suggested that the proposed agreement be discussed at a workstudy session to be held on June 23, 2003.

Councilwoman Lukas explained that in response to questions from several residents, she contacted officials at ASU to determine their interest in the Los Arcos site. She confirmed that ASU has no plans of placing a research facility on the site but would be interested in developing a long-term relationship with the city. The Vice President of Public Affairs expressed interest in a dinner between the top officials of the city and ASU. She urged the City Manager to follow up on the possibility of scheduling this event.

Mayor Manross also noted that she spoke with officials at ASU regarding their alleged interest in the property.

Vice Mayor O'Hearn urged the City Attorney to clarify the alleged conflict of interest issue that was brought up by a resident at a recent Council meeting and has resurfaced several times since then. City Attorney Pennartz stressed that Vice Mayor O'Hearn does not have a conflict of interest regarding the proposed Los Arcos project and Wal-Mart. He recounted some of the facts and determined that "it was not even a close call". He stressed that there is not even a remote possibility of a conflict of interest in this matter.

Councilman Ortega explained that he has requested a financial impact study on the proposed Los Arcos project. He felt the proposed workstudy session next Monday would be premature.

Councilman Ecton expressed his opposition to the proposed workstudy session next Monday evening since it would not allow citizen input.

City Attorney Pennartz clarified that it would take a request from four Council members or the Mayor to schedule the suggested workstudy session.

After further discussion by Council, Mayor Manross requested that the workstudy be scheduled next Monday evening to provide information to the public on the Los Arcos project and agreement.

Adjournment

With no further business to discuss, Mayor Manross adjourned the meeting at 6:59 P.M.

SUBMITTED BY:

REVIEWED BY:

Ann Eyerly, Council Recorder

Sonia Robertson, City Clerk

C E R T I F I C A T E

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular City Council Meeting of the City Council of Scottsdale, Arizona held on the 16th day of June 2003.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this _____ day of June 2003.

SONIA ROBERTSON
City Clerk